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6 Attorneys for Defendants
ADVANTA MORTGAGE CORP. USA,
7 ADVANTA LIFE INSURANCE COMPANY, and
ADVANTA NATIONAL BANK

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
DIVISION OF SAN FRANCISCO**

Pursuant to the Federal Rules of Civil Procedure, plaintiff CHRISTA P.C. SULLIVAN ("Plaintiff"), and defendants ADVANTA MORTGAGE CORP. USA, ADVANTA LIFE INSURANCE COMPANY, and ADVANTA NATIONAL BANK (collectively, the "Advanta Entities") by and through their respective attorneys of record, agree and stipulate as follows:

1 1. WHEREAS, on November 8, 2009, Advanta Mortgage Corp. USA ("Advanta
2 Mortgage") filed a voluntary petition seeking bankruptcy protection under chapter 11 of the
3 Bankruptcy Code (11 U.S.C. §101 et seq.) in the United States Bankruptcy Court for the District of
4 Delaware.

5 2. WHEREAS, pursuant to Bankruptcy Code section 362(a), the filing of the
6 petition, among other things, "operates as a stay, applicable to all entities, of ... the commencement
7 or continuation, including the issuance or employment of process, of a judicial, administrative, or
8 other action or proceeding against the debtor that was or could have been commenced before the
9 commencement of the case under this title, or to recover a claim against the debtor that arose before
10 the commencement of the case under this title..." 11 U.S.C. § 362(a)(1).

11 3. WHEREAS, the automatic stay also prohibits "any act to obtain possession of
12 property of the estate or of property from the estate or to exercise control over property of the
13 estate." 11 U.S.C. § 362(a)(3).

14 4. WHEREAS, because the claims against Advanta Mortgage are automatically
15 stayed, the Advanta Entities contend that the claims against ADVANTA LIFE INSURANCE
16 COMPANY and ADVANTA NATIONAL BANK should be stayed as well, given the corporate
17 affiliation among the entities and the nature of the claims against them in this action.

18 5. NOW THEREFORE, Plaintiff and the Advanta Entities agree that
19 ADVANTA MORTGAGE CORP. USA, ADVANTA LIFE INSURANCE COMPANY, and
20 ADVANTA NATIONAL BANK should each be dismissed from this action immediately without
21 prejudice.

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1 Dated: January 14, 2010

DUANE MORRIS LLP

2 By:

3 Peter J. Whalen

4 Terrance J. Evans

5 Attorneys for Defendants

6 ADVANTA MORTGAGE CORP. USA,
ADVANTA LIFE INSURANCE COMPANY and
ADVANTA NATIONAL BANK

7

8 MANNION and LOWE

9 By:

10 Wesley M. Lowe

11 Attorneys for Christa P.C. Sullivan

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13 PURSUANT TO STIPULATION, IT SO ORDERED.

14 Dated: _____, _____

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16 Susan Illston

17 United States District Court Judge

18 DM112032987

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PROOF OF SERVICE

Sullivan v. Chase Home Finance, LLC
United States District Court, Case No. C09-02876 SI

I am a citizen of the United States, over the age of 18 years, and not a party to interested in the cause. I am an employee of Duane Morris LLP and my business address is One Market, Spear Tower, Suite 2200, San Francisco, California 94105. I am readily familiar with this firm's practices for collecting and processing correspondence for mailing with the United States Postal Service and for transmitting documents by FedEx, fax, email, messenger and other modes. On the date stated below, I served the following documents:

**STIPULATION AND [PROPOSED] ORDER TO DISMISS ADVANTA MORTGAGE
CORP. USA, ADVANTA LIFE INSURANCE COMPANY, AND ADVANTA NATIONAL
BANK WITHOUT PREJUDICE**

BY U.S. MAIL: I enclosed the documents in a sealed envelope or package addressed to the person(s) set forth below, and placed the envelope for collection and mailing following our ordinary business practices, which are that on the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in San Francisco, California, in a sealed envelope with postage fully prepaid..

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Finance LLC, et al.

TEL: 714-852-6800/FAX: 714-852-6899

I declare under penalty of perjury under the laws of the State of California that the foregoing
is true and correct.

Dated: January 15, 2010



Amena Edres

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